20.   (Amended)   The data casting system of claim 19 wherein the operator interface module allows any of the displayed channels to be selected, and the data guide software and processor connect the operator interface module to the selected channel.

21.   (Amended)   The data casting system of claim 20 wherein the at least one channel includes at least one link to a website.

REMARKS

Claims 1-24 remain in the application.

In section 1 of the Office Action, the Examiner objected to claims 20 and 21.   Accordingly, these claims have been amended to overcome the objection.

In section 3 of the Office Action, the Examiner rejected claims 3-5 and 15-17 under 35 U.S.C. §112, first paragraph, as being directed to a non-enabling disclosure.   The claims have been amended to overcome this rejection.   Also, based on the disclosure at page 11, one skilled in the art would understand that the scanning receiver 13, the demodulator 14, the detector 16, the processor 18, and the memory 20 could be packaged

as an external device to be plugged into a personal
digital assistant or a cellular telephone in order to
display the recited information on the display of such a
personal digital assistant or cellular telephone.
Alternatively, one skilled in the art would understand
that a personal digital assistant or a cellular telephone
could be provided with the scanning receiver, the
demodulator, and the detector as described in the
application, and would further understand that the
processor of such personal digital assistant or cellular
telephone could be programmed as also described in the
present application. With such understanding, claims 3-5
and 15-17 are fully enabled. Moreover, neither of these
alternatives would require independent invention.

Therefore, the specification as originally
filed fully enables claims 3-5 and 15-17.

In section 5 of the Office Action, the Examiner
rejected claims 1, 7-12, and 18-20 under 35 U.S.C.
§102(e) as being anticipated by the Schneidewend patent.

The Schneidewend patent discloses a video
decoder on-screen display interface system that generates
a menu of favorite multimedia services. A decoder 100
processes video program and other data from a plurality
of different sources such as a terrestrial antenna 10, a

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satellite dish 87, and a PC 83. The decoder 100 may also process data for output to an HDTV decoder. The decoder 100 enables a user to create, manage and maintain a favorite service list. This favorite service list provides a list of multimedia services that enables the user to rapidly change the function of the decoder 100 so that the user can acquire a new service.

A demodulator 15 demodulates the digital output signal from the processor 13. The demodulated output from the demodulator 15 is trellis decoded, mapped into byte length data segments, de-interleaved, and Reed-Solomon error corrected by a decoder 17. The output data from the decoder 17 contains multiplexed audio, video, and data. The multiplexed audio, video and data are de-multiplexed into audio, video and data components by a de-multiplexer 22.

Individual data packets received by the decoder 100 (comprising a user selected program, for example) are identified and assembled using the assembled program specific information within a database of a processor 62. The data contains conditional access, network information, and identification and linking data that enable the system to tune to a desired channel and to assemble data packets to form complete programs. The

data stored in the database of the processor 62 also includes ancillary program guide information (e.g. an Electronic Program Guide-EPG) and descriptive text related to the broadcast programs as well as data supporting the identification and assembly of this ancillary information.

The decoded data may also contain sub-picture data. Such sub-picture data includes display commands, subtitling, content menus, descriptive text, selectable menu options, or other items. The sub-picture data and the data from the processor unit 60 are used to create a set of interactive, control, and information menus for presentation on a display 50. These menus include the favorite service list depicted in Figure 3 and the program guide and overlaid favorite service list of Figure 4.

Independent claim 1 is directed to a device in which an operator interface module displays a data guide, i.e., types of data and the channels on which the types of data are available. As can be seen, the Schneidewend patent does not disclose such a data guide.

The Schneidewend patent does disclose a channel guide in Figure 4. However, a channel guide is not a data guide as pointed out in the present application.

(For example, see page 2, lines 3-10.) The Schneidewend

patent also discloses a list of favorites in Figures 3

and 4. However, the list of favorites does not identify

data and the channel on which the data can be found.

Therefore, the list of favorites cannot be a date guide

as defined in the present application.

Accordingly, because the Schneidewend patent

does not disclose the display of the data guide recited

in independent claim 1, the Schneidewend patent does not

anticipate independent claim 1 and claims 2-9 dependent

thereon.

Furthermore, independent claim 1 is directed to

a device in which a scanning receiver tunes to selected

channels thereby hunting for data. Data guide software

identifies the types of the data found by the scanning

receiver and also identifies the channels on which the

identified types of data are available. An operator

interface module displays the identified types of data

and the channels on which the identified types of data

are available. In order words, the device searches the

channels looking for data and creates a data guide based

on the search results.

The Schneidewend patent does not disclose an

arrangement in which a scanning receiver searches

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channels for data. Accordingly, for this reason also, the Schneidewend patent does not anticipate independent claim 1 and claims 2-9 dependent thereon.

Independent claim 10 is directed to a method of providing a data guide summarizing the types of data transmitted in a digital broadcast signal and the channels corresponding to the types of data. According to the method the digital broadcast signal containing digital programming packets and data packets is received, the digital broadcast signal are demodulated, the data packets are detected, the data guide is stored based on information contained in the data packets, and the data guide is displayed.

As discussed above, the Schneidewend patent does not disclose a data guide. Instead, the Schneidewend patent discloses a channel guide. However, a channel guide is not a data guide as pointed out on page 2, lines 3-10 of the present application. The Schneidewend patent also discloses a list of favorites. However, the list of favorites does not identify data and the channel on which the data can be found.

Accordingly, because the Schneidewend patent does not disclose the display of a data guide as recited in independent claim 10, the Schneidewend patent does not

anticipate independent claim 10 and claims 11-17
dependent thereon.

Independent claim 18 is directed to a data
casting system in which a receiver receives a digital
broadcast signal containing at least one digital
television programming packet and at least one data
packet, a detector detects (i) the at least one data
packet, (ii) the types of data transmitted within the at
least one data packet, and (iii) the channels on which
the detected types of data are available, and an operator
interface module displays the detected types of data and
the channels on which the detected types of data are
available.

Again, the Schneidewend patent does not
disclose a data guide that identifies the types of data
available on various channels and the channels on which
the types of data are available. The channel guide
disclosed in the Schneidewend patent is not, by
definition, a data guide as pointed out on page 2, lines
3-10 of the present application. Moreover, a list of
favorites as disclosed in Figures 3 and 4 of the
Schneidewend patent does not identify data and the
channel on which the data can be found and, therefore, is
not a data guide.

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Accordingly, because the Schneidewend patent does not disclose the display of a data guide as recited in independent claim 18, the Schneidewend patent does not anticipate independent claim 18 and claims 19-21 dependent thereon.

In section 6 of the Office Action, the Examiner rejected claims 22-24 as being anticipated by the Klosterman patent.

Independent claim 22 is directed to a computer readable storage medium of a digital program receiver having a data guide stored thereon. The data guide contains a list of the types of data receivable by the digital program receiver and the corresponding RF channels in which the data is present.

The Klosterman patent discloses an electronic program guide referred in the present application as a channel guide. As discussed above, a channel guide and a data guide are different guides. Also, a channel guide and a data guide serve different purposes. A channel guide contains a program schedule, whereas a data guide contains a list of the types of data by channel that can be accessed by a user. As can be seen, the channel guide disclosed in the Klosterman patent is not the data guide recited in independent claim 22.

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The Klosterman patent does disclose that the channel guide can include data in the form of news, weather, financial, and other information. However, there is no disclosure in the Klosterman patent that the channel guide indicates the channel on which this data can be found.

Accordingly, because the Klosterman patent does not disclose a data guide, the Klosterman patent does not anticipate independent claim 22 and claims 23 and 24 dependent thereon.

In section 8 of the Office Action, the Examiner rejected dependent claims 2, 6, 13, and 14 under 35 U.S.C. §103(a) as being unpatentable over the Schneidewend patent. However, as discussed above, the Schneidewend patent does not disclose a data guide. Therefore, dependent claims 2, 6, 13, and 14 are patentable over the Schneidewend patent.

In section 9 of the Office Action, the Examiner rejected dependent claim 21 under 35 U.S.C. §103(a) as being unpatentable over the Schneidewend patent in view of the Klosterman patent. However, as discussed above, neither the Schneidewend patent nor the Klosterman patent discloses a data guide. Therefore, dependent claim 21 is

patentable over the Schneidewend patent in view of the Klosterman patent.

Attached hereto is a marked-up version of the changes made to the specification and the claims by the current amendment. The attached version is captioned **"VERSION WITH MARKINGS TO SHOW CHANGES MADE."**

In view of the above, it is clear that the claims of the present application meet all statutory requirements. Accordingly, allowance of these claims and issuance of the above captioned patent application are respectfully requested.

Respectfully submitted,

SCHIFF, HARDIN, & WAITE
6600 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606-6402
(312) 258-5774

By: _Mark Bergner_

Mark Bergner
Reg. No: 45,877

January 23, 2003

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE SPECIFICATION

The paragraph in the present application beginning at page 10, line 1 is amended as follows:

Alternatively, once the processor 18 receives the signal from the detector indicating that a data [module 29] packet 26 has been received, the processor 18 may utilize a template stored in the memory 20 which automatically indicates the type of data received based on the channel to which the receiver 13 is tuned at the time of reception. In other words, it may be known that a particular channel always and only transmits business data, while another channel always and only transmits sports statistics. As a result, once the detector 16 determines that data is received, the processor 18 can reference the template to determine which type of data corresponds to the tuned channel.

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The paragraph in the present application beginning at page 11, line 10 is amended as follows:

Also, if the data type is determined to be new, the processor 18 executes data guide software to generate or update a menu 32 containing that data type. [A] The operator interface module 21 can display the menu 32 at any time the user selects. The operator interface module 21 can be in the form of, for example, a computer monitor, a television screen, a liquid crystal display screen of a cellular telephone or personal digital assistant, or the like. The menu 32 could be displayed on a designated channel to which the user could tune when desired. Using a peripheral input device (not shown) associated with the operator interface module 21, such as a mouse, trackball, keyboard, remote control, or touch screen, a user can scroll through the displayed menu 32 and select the channel of interest. Once a particular channel is selected the processor 18 then directly connects the user to the desired channel, or if a website is selected, to the desired website. A representative menu 32 generated by the processor 18 is depicted in Figure 4.

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IN THE CLAIMS

Claims 3, 4, 15, 16, 20, and 21 are amended as follows:

3.   (Amended)   The device of claim 1 wherein [processor] the operator interface module comprises a display [processing unit] of a personal digital assistant.

4.   (Amended).   The device of claim 1 wherein the [processor] operator interface module comprises a display [processing unit] of a telephone.

15.   (Amended)   The method of claim 10 wherein the displaying of the data guide comprises displaying the data guide on a display [performed by a processor] of a personal digital assistant.

16.   (Amended)   The method of claim 10 wherein the displaying of the data guide comprises displaying the data guide on a display [performed by a processor] of a telephone.

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20. (Amended) The data casting [guide] <u>system</u> of claim 19 wherein the operator interface module allows any of the displayed channels to be selected, and the data guide software and processor connect the operator interface module to the selected channel.

21. (Amended) The data casting [guide] <u>system</u> of claim 20 wherein the at least one channel includes at least one link to a website.